

### **DETAILED ACTION**

This is a Third Action Final sent in response to Applicant's Amendments of May 12, 2008.

#### ***Claim Rejections - 35 USC § 112***

The 35 USC § 112 rejection of the previous action is hereby removed.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 13 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Both claims refer to "the insulation core" but do not designate whether the language is referring to the first, second, or both cores.
2. Claims 12, 15, and 16 recite the limitation "the at least one panel." There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**Claims 1, 2, 3, 5, 6, 8, 9, 18, 20, and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over San Paolo (US 5,417,024) in view of Lynch et al. (US 2004/0003560 A1) (hereafter "Lynch") and Min (US 2003/0024637).**

2. In Re claim 1, Figures 1 and 3 of San Paolo disclose a first fiberboard substrate (42 - top), at least one a first veneer (46) disposed over a first exterior face of the first fiberboard substrate; an adhesive coupling the at least one veneer and the fiberboard substrate (42 - top),

an insulation core (30) substantially adjacent the first fiberboard substrate (42 - top) along a first interior face opposite the first exterior face of the first fiberboard substrate (42 - top), the insulation core (30) having a first side surface area corresponding to the first exterior face;

a second fiberboard substrate (42 - bottom) having a second exterior face opposite a second interior face, with the insulation core (30) adjacent the second fiberboard (42 - bottom) such that the insulation core (30) is disposed between the first fiberboard substrate (42 - top) and the second fiberboard substrate (42 - bottom) with a second side of the insulation core (30), opposite the first side, having a second side surface area corresponding with the second interior face, and

a bracket (28) coupling the first fiberboard substrate and the second fiberboard substrate.

San Paolo teaches a wood product for the substrates but is silent as to its particulars. Paragraph 68 of Lynch teaches in it is known construct a wood product from a wood fiber and waterproof binder combination. It would have been obvious to one skilled in the art at the time of the invention to construct the first and second fiberboard substrates of a wood fiber and waterproof resin composition as taught by

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Lynch as a simple substitution of one known element for another to obtain predictable results.

San Paolo discloses gluing the veneer to the substrate but is also silent as to the particulars of the adhesive. Paragraph 47 of Min teaches that it is well known to use waterproof adhesives to attach a veneer to a substrate. It therefore would have been obvious to one skilled in the art at the time of the invention to use a waterproof adhesive as taught by Min as a simple substitution of one known element for another to obtain predictable results.

3. In Re claims 2, 3, 5, 6, 8, and 9, the combination as set forth above discloses the limitations of the aforementioned claims.

4. In Re claims 18, 20, and 22-25, the combination renders the claimed method steps obvious since such a method of assembly would be a logical manner of constructing the combination.

**Claims 4 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over San Paolo (US 5,417,024) in view of Lynch et al. (US 2004/0003560 A1) (hereafter “Lynch”) and Min (US 2003/0024637) as applied to claim 1 and in further view of Hollman (US 6,487,827 B2).**

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5. In Re claims 4 and 21, the combination does not disclose placing a second veneer that is directly coupled to another face of the fiberboard substrate. Holloman teaches that it is well known to place a veneer on a second side of a fiberboard substrate to cover the fiberboard. Additionally, the Applicants have not disclosed that placing a second veneer in the manner in which they have done solves any particular problem in the art or produces any critical results. As such, it would have been obvious to one skilled in the art at the time of the invention to modify the combination by including a second veneer on the fiberboard as taught by Holloman in order to cover the fiberboard and obtain a predictable result.

**Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over San Paolo (US 5,417,024) in view of Lynch et al. (US 2004/0003560 A1) (hereafter "Lynch") and Min (US 2003/0024637) as applied to claim 1 and in further view of Rayner (US 2,932,596).**

6. In Re claims 7 and 19, the combination discloses the claimed invention except for the adhesive being cyanuramide, or better known as melamine. Rayner shows that cyanuramide is an equivalent adhesive known in the art. Therefore, because these two adhesives were art-recognized at the time of the invention was made; one of ordinary skill in the art would have found it obvious to substitute cyanuramide for the adhesive of the combination to obtain a predictable result.

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**Claims 10, 11, 13-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over San Paolo (US 5,417,024) in view of Lynch et al. (US 2004/0003560 A1) (hereafter “Lynch”), Min (US 2003/0024637) and Hollman (US 6,487,827 B2).**

7. In Re claim 10, Figures 1 and 3 of San Paolo disclose a door including a first panel cavity and a second panel cavity; a first insulation core (30) disposed within the at least one first panel cavity; a second insulation core (30 Col. 1, Lines 58-62 and Col. 2, Lines 54) disposed within the second panel cavity; and

at least one panel (18) disposed within the first at least one panel cavity and coupled to the door, including

fiberboard substrate (42 - top) having at least one profiled face, a first veneer (46) coupled directly to the at least one profiled face (Col. 3-4, Lines 68+) with an adhesive, wherein the first veneer (46) has a profile corresponding to the at least one profiled face of the fiberboard substrate (42 - top).

San Paolo teaches a wood product for the substrates but is silent as to its particulars. Paragraph 68 of Lynch teaches in it is known construct a wood product from a wood fiber and waterproof binder combination. It would have been obvious to one skilled in the art at the time of the invention to construct the first and second fiberboard substrates of a wood fiber and waterproof resin composition as taught by Lynch as a simple substitution of one known element for another to obtain predictable results.

San Paolo discloses gluing the veneer to the substrate but is also silent as to the particulars of the adhesive. Paragraph 47 of Min teaches that it is well known to use waterproof adhesives to attach a veneer to a substrate. It therefore would have been obvious to one skilled in the art at the time of the invention to use a waterproof adhesive as taught by Min as a simple substitution of one known element for another to obtain predictable results.

The above combination does not disclose placing a second veneer that is directly coupled to another face of the fiberboard substrate. Holloman teaches that it is well known to place a veneer on a second side of a fiberboard substrate to cover the fiberboard. Additionally, the Applicants have not disclosed that placing a second veneer in the manner in which they have done solves any particular problem in the art or produces any critical results. As such, it would have been obvious to one skilled in the art at the time of the invention to modify the combination by including a second veneer on the fiberboard as taught by Hollman in order to cover the fiberboard and obtain a predictable result.

8. In Re claim 11, Figures 1 and 3 of San Paolo disclose a glazing cap (40) coupled to the door and engaged against the at least one panel.

9. In Re claim 13, the above combination discloses the parts being movable relative to the insulation core. "Movable" is considered to be a functional language. The

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combination is capable of being moved relative to the insulation layer in such ways as cutting it away for example.

10. In Re claim 14, the combination discloses a second panel exhibiting all the characteristics of the first as set forth above in paragraph 7.

11. In Re claim 15, San Paolo discloses a bracket (28).

12. In Re claim 17, Col. 3-4, Lines 68+ of San Paolo discloses a pliable veneer.

**Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over San Paolo (US 5,417,024) in view of Lynch et al. (US 2004/0003560 A1) (hereafter “Lynch”), Min (US 2003/0024637) and Hollman (US 6,487,827 B2) as applied to claims 10-11 above, and in further view of Hagemeyer (4,716,700).**

13. In Re claim 12, the combination of San Paolo, Lynch, Min and Hollman teaches the claimed invention with the exception of a sealant. Figure 7 and Col. 5, Lines 18-22 of Hagemeyer discloses that it is well known to seal a panel with a sealant in order to improve the bond between the door and panel as well as to prevent water and air from entering the door. It therefore would have been obvious to include a sealant as suggested by Hagemeyer to seal the door as combining prior art elements according to known methods to yield predictable results.

**Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over San Paolo (US 5,417,024), Lynch et al. (US 2004/0003560 A1) (hereafter “Lynch”), Min (US 2003/0024637) and Hollman (US 6,487,827 B2) as applied to claim 10, and in further view of Twigg et al. (US 6,151,849).**

14. In Re claim 16, the combination of San Paolo, Lynch, Min and Hollman teaches the claimed invention with the exception of at least one glass pane disclose within the door. It is however well know to place glass panes in composite doors as taught by Twigg et al. in order to allow the user to see through the door. It therefore, would have been obvious to one skilled in the art at the time of the invention to include a glass pane within the panel as combining prior art elements according to known methods to yield a predictable result is obvious.

**Claims 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over San Paolo (US 5,417,024) in view of Lynch et al. (US 2004/0003560 A1) (hereafter “Lynch”), Min (US 2003/0024637), Hollman (US 6,487,827 B2) and Hagemeyer (US 4,716,700).**

15. In Re claim 26, the combination as set forth in the rejection of claim 10 teaches the method steps with the exception of including a sealant. Figure 7 and Col. 5, Lines 18-22 of Hagemeyer discloses that it is well known to seal a panel with a sealant in



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order to improve the bond between the door and panel as well as to prevent water and air from entering the door. It therefore would have been obvious to include a sealant as suggested by Hagemeyer to seal the door as combining prior art elements to known methods to yield predictable results. The inclusion of the seal to the combination as set forth in the rejection to claim 10 renders the method steps obvious since constructing the door as claimed would be a logical manner of doing so.

16. In Re claims 27-30, the combination renders the claimed method steps obvious since such a method of assembly would be a logical manner of constructing the combination.

**Claims 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over San Paolo (US 5,417,024), Lynch et al. (US 2004/0003560 A1) (hereafter "Lynch"), Min (US 2003/0024637) and Hollman (US 6,487,827 B2) as applied to claim 10, and in further view of Twigg et al. (US 6,151,849).**

17. In Re claim 31, the combination of San Paolo, Lynch, Min and Hollman teaches the claimed invention with the exception of at least one glass pane disclose within the door. It is however well know to place glass panes in composite doors as taught by Twigg et al. in order to allow the user to see through the door. It therefore, would have been obvious to one skilled in the art at the time of the invention to include a glass pane

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within the panel as combining prior art elements according to known methods to yield a predictable result is obvious.

18. In Re claim 32, Twigg et al. teaches a bracket.

### ***Response to Arguments***

19. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY N. BARTOSIK whose telephone number is (571)270-3112. The examiner can normally be reached on M-F 7:30-5:00; E.D.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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